



February 3, 2009

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## HOUSE BILL No. 1226

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DIGEST OF HB 1226 (Updated January 29, 2009 4:42 pm - DI 103)

**Citations Affected:** IC 8-16.

**Synopsis:** Ohio River bridges project commission. Establishes the Ohio River bridges project commission. Provides that the purpose of the commission is to facilitate and accelerate the completion of Ohio River bridges projects by reducing cost from further delays and developing legislative proposals as necessary to remove any hindrances that may develop.

**Effective:** Upon passage.

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**Stemler, Cheatham, Goodin,  
Bischoff**

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January 12, 2009, read first time and referred to Committee on Roads and Transportation.  
February 2, 2009, amended, reported — Do Pass.

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HB 1226—LS 7383/DI 113+



February 3, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1226

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A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 8-16-17 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4       **Chapter 17. Ohio River Bridges Project Commission**

5       **Sec. 1. As used in this chapter, "commission" refers to the Ohio**  
6 **River bridges project commission established by section 3 of this**  
7 **chapter.**

8       **Sec. 2. As used in this chapter, "project" refers to an Ohio River**  
9 **bridges project.**

10       **Sec. 3. The Ohio River bridges project commission is**  
11 **established.**

12       **Sec. 4. (a) The purpose of the commission is to facilitate and**  
13 **accelerate completion of Ohio River bridges projects by reducing**  
14 **cost from further delays and developing legislative proposals as**  
15 **necessary to remove any hindrances that may develop.**

16       **(b) The commission may study the following topics relevant to**  
17 **a project:**

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- (1) Funding options.
- (2) Environmental issues.
- (3) Opportunities to work with neighboring states concerning an accelerated completion of the project.
- (4) Economic impact on Indiana.
- (5) Urgency of the project.
- (6) Safety concerns to motorists.
- (7) Other factors that may hinder completion of the project.

(c) In addition to the topics listed subsection (b), the commission shall study topics assigned to the commission by the legislative council.

**Sec. 5. (a) The commission consists of fourteen (14) voting members appointed as follows:**

**(1) Four (4) members of the senate to be appointed by the president pro tempore of the senate, subject to the following restrictions:**

**(A) Not more than two (2) members appointed under this subdivision may be from the same political party.**

**(B) At least one (1) member appointed under this subdivision must be from a legislative district in which an Ohio River bridge project is located.**

**(2) Four (4) members of the house of representatives to be appointed by the speaker of the house of representatives, subject to the following restrictions:**

**(A) Not more than two (2) members appointed under this subdivision may be from the same political party.**

**(B) At least one (1) member appointed under this subdivision must be from a legislative district in which an Ohio River bridge project is located.**

**(3) The chairperson of the house standing committee having primary responsibility for transportation matters, as determined by the speaker of the house, serving ex officio.**

**(4) The chairperson of the senate standing committee having primary responsibility for transportation matters, as determined by the president pro tempore of the senate, serving ex officio.**

**(5) The commissioner of the Indiana department of transportation serving ex officio or the commissioner's designee. A designee of the commissioner serves at the pleasure of the commissioner.**

**(6) The president of the Indiana economic development corporation serving ex officio or the president's designee. A**

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designee of the president serves at the pleasure of the president.

(7) The governor serving ex officio or the governor's designee. A designee of the governor serves at the pleasure of the governor.

(8) The elected member of the United States House of Representatives from Indiana's Ninth Congressional District serving ex officio or the representative's designee. A designee of the representative serves at the pleasure of the representative.

(b) The term of an appointee under subsection (a)(1) and (a)(2) is from July 1 of a calendar year through June 30 of the following calendar year. The appointing authorities under subsection (a)(1) and (a)(2) shall make the appointments on or before July 1 of each calendar year.

(c) A vacancy on the committee shall be filled by the appointing authority for the unexpired term not later than sixty (60) days after the date on which the committee seat becomes vacant.

Sec. 6. (a) The president pro tempore of the senate shall appoint a member of the committee to serve as chairperson of the committee from July 1 of an odd-numbered year through June 30 of the following calendar year.

(b) The speaker of the house of representatives shall appoint a member of the committee to serve as chairperson of the committee from July 1 of an even-numbered year through June 30 of the following calendar year.

Sec. 7. (a) The commission may meet at any time during the calendar year.

(b) The commission shall meet at the call of the chairperson.

Sec. 8. Except as provided in section 7(a) of this chapter, the commission shall operate under the policies governing study committees that are adopted by the legislative council. The commission shall file an annual report with the legislative council in an electronic format under IC 5-14-6 by November 1 of each year.

Sec. 9. (a) Eight (8) members of the committee constitute a quorum.

(b) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

Sec. 10. The legislative services agency shall provide staff support for the committee.

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1       Sec. 11. (a) Subject to subsection (b), each member of the  
2 committee appointed under this chapter is entitled to receive the  
3 same per diem, mileage, and travel allowances paid to members of  
4 the general assembly serving on legislative study committees  
5 established by the legislative council.

6       (b) This subsection applies to a member of the commission  
7 described under section 5(a)(5) through 5(a)(8) of this chapter. A  
8 member of the commission may not receive a per diem, mileage, or  
9 travel allowance under subsection (a) if the member also receives  
10 a per diem, mileage, or travel allowance from the corporation or  
11 governmental entity that employs the member.

12       SECTION 2. An emergency is declared for this act.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1226, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "the" and insert "**an**".

Page 1, line 13, delete "the".

Page 1, line 13, delete "project" and insert "**projects**".

Page 1, line 17, delete "the" and insert "**a**".

and when so amended that said bill do pass.

(Reference is to HB 1226 as introduced.)

AUSTIN, Chair

Committee Vote: yeas 11, nays 0.

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